



PLANNING & ZONING COMMISSION

AGENDA REQUEST

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| AGENDA OF: | 11/13/07 | AGENDA REQUEST NO: | V B |
| INITIATED BY: | LISA KOCICH-MEYER, SENIOR PLANNER <i>Ken</i> | RESPONSIBLE DEPARTMENT: | PLANNING |
| PRESENTED BY: | LISA KOCICH-MEYER, SENIOR PLANNER | ASSISTANT PLANNING DIRECTOR: | DOUGLAS P. SCHOMBURG, AICP <i>D.P.S.</i> |
| | | ADDITIONAL DEPARTMENT HEAD (S): | N/A |
| SUBJECT / PROCEEDING: | PERMANENT ZONING FROM INTERIM STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) TO STANDARD SINGLE -FAMILY RESIDENTIAL (R-1) FOR TELFAIR SECTION NINETEEN CONSIDERATION AND ACTION | | |
| EXHIBITS: | VICINITY MAP, EXCERPT FROM APPROVED GENERAL PLAN, APPLICATION, CORRESPONDENCE FROM APPLICANT, | | |
| CLEARANCES | | APPROVAL | |
| LEGAL: | N/A | DIRECTOR OF PLANNING: | SABINE SOMERS-KUENZEL AICP <i>AK</i> |
| RECOMMENDED ACTION | | | |
| Recommendation of approval to Council for the proposed permanent zoning to R-1. | | | |
| EXECUTIVE SUMMARY | | | |
| <p>This is a request to permanently zone the area of Telfair Section 19, consisting of 8.397 acres, from Interim Standard Single-Family Residential (R-1) to permanent Standard Single-Family Residential (R-1). The property is located in Tract 4 of the Telfair development north of New Territory Boulevard and west of Chatham Avenue. The Telfair property was annexed by the City under Ordinance No. 1431 on April 6, 2004 and was officially incorporated into the City on July 1, 2004. At that time Interim R-1 zoning was applied to the 8.397 acres. This request is in conformance with the Telfair General Plan (Amendment No. 3), approved by Council on December 19, 2006 and is not in conflict with the City of Sugar Land Comprehensive Plan.</p> <p>This rezoning request, if approved by City Council, would require this property to comply with all R-1 (Standard Single-Family Residential) regulations as contained in Chapter 2 of the City of Sugar Land Development Code. A Public Hearing was held at the October 25, 2007 Planning and Zoning Commission meeting. The Commission asked for clarification on the location on the proposed fire station and no members of the public spoke on this item. Additional information is included in the attached materials.</p> | | | |
| File No. 8671 | | | |

EXHIBITS

STAFF REPORT
DETAILED INFORMATION

GENERAL SITE INFORMATION AND ANALYSIS:

| | |
|---|--|
| Compliance with Comprehensive Plan | This proposal is not in conflict with the Comprehensive Plan. |
| Compliance with General Plan | Telfair General Plan Amend. No. 3 indicates R-1 for this section. |
| Subject Property | Interim Standard Single Family Residential (R-1) |
| Surrounding Property Zoning | North: Standard Single-Family Residential (R-1) South: Standard Single-Family Residential (R-1) East: Interim Standard Single-Family Residential (R-1) West: N/A |
| Surrounding Land Use | North: Developing Single-Family Residential South: New Territory Boulevard and Developed Single-Family Residential East: Undeveloped West: COSL ETJ – New Territory Subdivision |

On November 16, 2004, City Council adopted the revised Land Use Plan portion of the City's Comprehensive Plan under Ordinance No. 1468. The Land Use Plan serves as a guide for recommendations of permanent zoning for annexed properties and rezoning of existing properties within the City. The 8.397 acres of Telfair Section 19 were intended for single-family residential development when the developer petitioned the City for annexation. This proposed land use is in accordance with the City's Land Use Plan, and the Telfair General Plan Amendment No. 3 (approved December 19, 2006).

The Telfair General Plan shows a potential fire station in this area. At this time, the City and the developer are in negotiations to locate the fire station in an alternate location within Telfair. The relocation of the fire station site will not require an amendment to the Telfair General Plan as a result of the approval of specific language with Amendment No. 3.

If approved, the total amount of R-1 zoning in place in Telfair will be approximately 545 acres located in Telfair Sections 1, 2, 4, 5, 6, 7, 9, 11, 12, 13, 14, 16, 17, 18, Section 15 pending Council approval, and Section 19 pending Planning and Zoning Commission recommendation and City Council's ultimate approval.

Questions from October 25, 2007, Planning and Zoning Commission Meeting:

1. The Commission asked for a clarification on where the fire station would be located since Section 19 will be developed as residential and would the change in location of the fire station require an amendment to the Telfair General Plan. Staff provided clarification that when the last amendment (Amendment #3; approved December 19, 2006) to the general plan was approved, language was included at that time that the fire station site could be relocated without future General Plan revisions. Staff and the developer provided that the City and the Developer, Newland Communities are in negotiations to move the fire station site further to the east, to the northeast corner of New Territory Blvd. and Chatham Avenue.

2. The Commission also asked for more information on the type of housing that would be developed in Section 19. Keith Behrens with Newland Communities stated that the single family would be the same type of style developed in the other portions of Telfair zoned R-1; standard 60 ft. lots. Furthermore, all development will have to follow R-1 Standard Single-family zoning district regulations.

POINTS FOR CONSIDERATION:

Request for Standard Single-Family Residential for Telfair Section 19 is:

- Not in conflict with the City of Sugar Land Comprehensive Plan
- In conformance with Telfair General Plan Amendment No. 3

Cc:

Tracy Youngblood, Brown & Gay Engineers, Inc.

Fax: (281) 558-9701

tyoungblood@browngay.com

Phil Mullan, P.E., Brown & Gay Engineers, Inc.

Fax: (281) 558-9701

pmullan@browngay.com

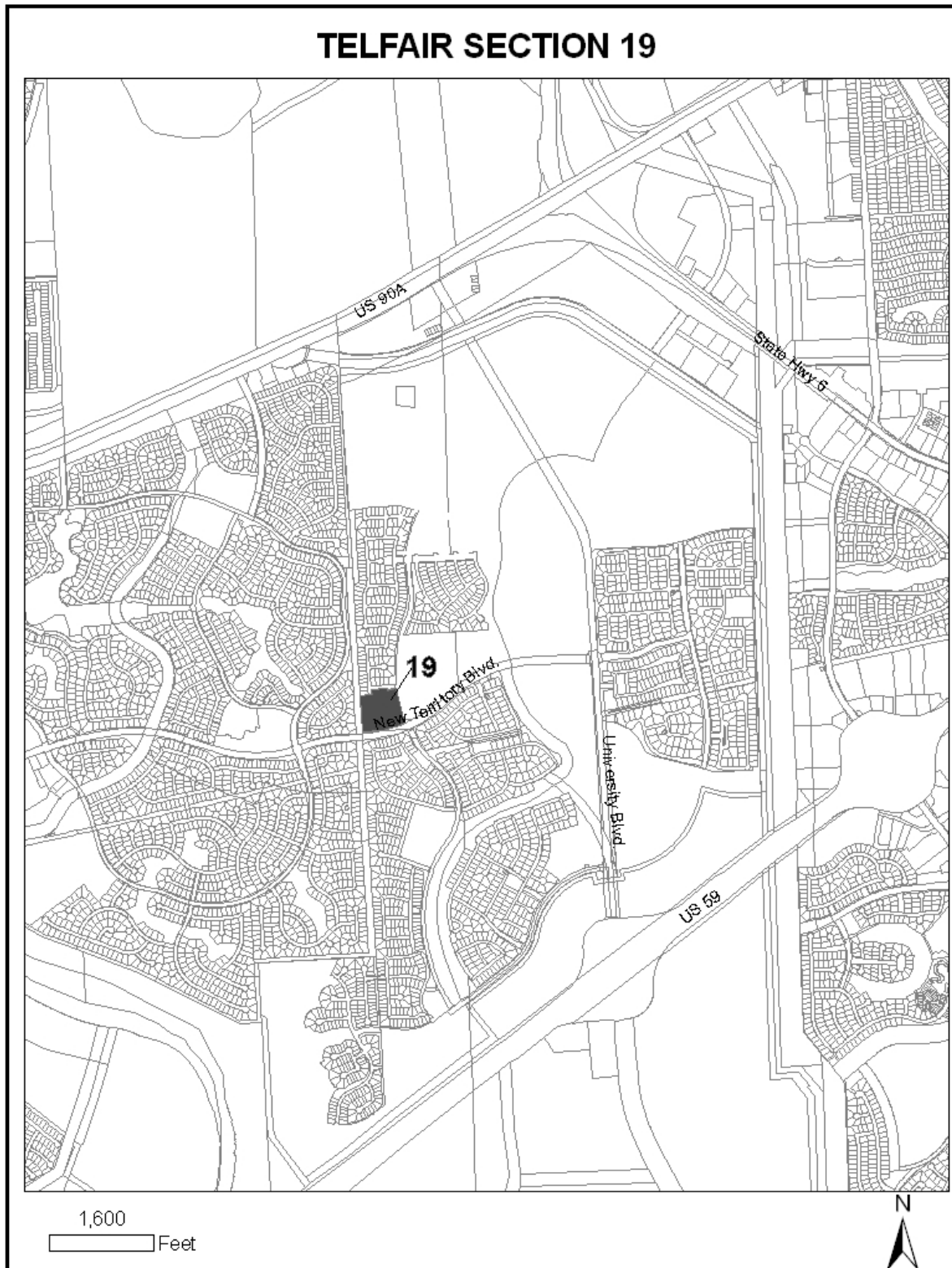
Keith Behrens, P.E., NNP-Telfair, LP

Fax: (713) 575-9001

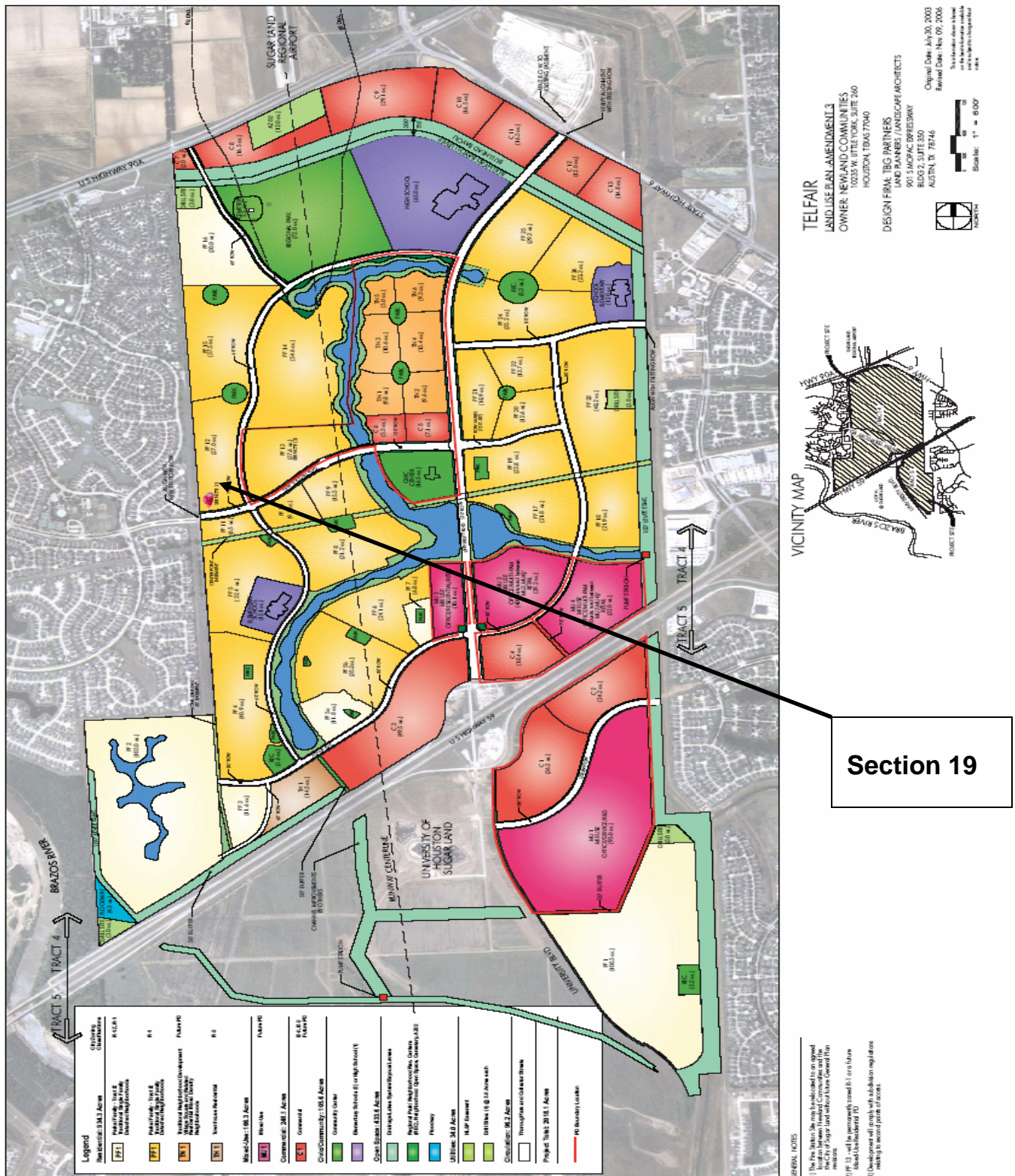
kbehrens@newlandcommunities.com

File No. P0008671

Vicinity Map:



**Excerpt from approved Telfair General Plan (Amendment No. 3):
Approved December 19, 2006**



Application:



RECEIVED

SEP 04 2007

PLANNING DEPARTMENT
CONDITIONAL USE PERMIT OR REZONING APPLICATION

PLANNING

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

Applicant

Contact BROWN & GAY ENGINEERS, INC.
Address 10777 WESTHEIMER, SUITE 400 HOUSTON, TX 77052
Phone 281-558-8700 Fax 281-558-9701
Email tyoungblood@brownGay.com

Owner

Contact NWP-TELEFAIR, LP (NEWLAND COMMUNITIES)
Address 10235 WEST LITTLE YORK, SUITE 300 HOUSTON, TX 77040
Phone 713-575-9000 Fax 713-575-9001
Email KBEHRENS@NEWLANDCOMMUNITIES.COM

Property Legal Description See Attached

Lot _____ Block _____ Subdivision _____

Current Zoning District TEMP R-1 Proposed Zoning District, if applicable R-1

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) _____

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.

[Signature] 09.04.07
Signature of Applicant Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in Mixed Use Conservation (MUC) District
- ☐ Metes and bounds of the site or county slide number of plat, if recorded
- ☐ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☐ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☐ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

Applicant Correspondence:



September 4, 2007

RECEIVED

SEP 04 2007

PLANNING

Mr. Joe Zimmerman
Chairman - Planning and Zoning
City of Sugar Land
2700 Town Center Blvd. North
Sugar Land, TX 77479

Re: Permanent R-1 Zoning

Dear Mr. Zimmerman:

This is a request by us, Brown & Gay Engineers, Inc., on behalf of Newland Communities for a permanent R-1 Zoning for a certain 8.397 acre tract of land situated in the M.M. Battle League, Abstract 9, City of Sugar Land, Fort Bend County, Texas. This tract contains the proposed preliminary plat of Telfair Sec. 19. Included with this request is the completed application, a legal description of the property, a list of all the property owners within 200 feet of this boundary, and a map of the property.

Please let me know if you have any questions or comments.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "P. Mullan", is written over a horizontal line.

Phil Mullan, P.E.
Project Manager

Legal Description (metes and bounds) Page 1:

TELFAIR SEC. 19
PLAT DESCRIPTION
8.397 ACRES

SEPTEMBER 4, 2007
JOB NO. 13716-6T
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DESCRIPTION OF AN 8.397 ACRE TRACT OF LAND
SITUATED IN THE M.M. BATTLE LEAGUE, A-9
CITY OF SUGAR LAND
FORT BEND COUNTY, TEXAS

SEP 04 2007
PLANNING

BEING an 8.397 acre tract of land situated in the M.M. Battle Survey, Abstract No. 9, City of Sugar Land, Fort Bend County, Texas, being out of a 1651.239-acre tract of land described in a deed recorded at Fort Bend County Clerk's File No. 2003149525, said 8.397-acre tract being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a Brown & Gay cap found for the most westerly northwest corner of New Territory Boulevard, 105 feet of right-of-way as delineated on the plat thereof recorded at Plat No. 20060061 of the Fort Bend County Plat Records, said 5/8-inch iron rod being in a westerly line of said 1651.239-acre tract;

THENCE N 03°32'21" W, 586.49 feet along a westerly line of said 1651.239-acre tract to a 5/8-inch iron rod with a Brown & Gay cap found for the southwest of Telfair Sec. 9, a plat of which is recorded at Plat No. 20070158 of the Fort Bend County Plat Records;

THENCE in an easterly direction along the southerly boundary of said Telfair Sec. 9 as follows:

N 86°27'39" E, 175.00 feet to a 5/8-inch iron rod with a Brown & Gay cap found for a corner;

N 03°32'21" W, 60.85 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of curvature of a curve to the right;

39.27 feet along the arc of said curve to the right having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 41°27'39" E, 35.36 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of tangency;

N 86°27'39" E, 200.00 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of curvature of a curve to the right;

39.27 feet along the arc of said curve to the right having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears S 48°32'21" E, 35.36 feet to a 5/8-inch iron rod with a Brown & Gay cap found for a corner;

N 86°27'39" E, 50.00 feet along a line which is radial with the last called curve and with the next called curve to a 5/8-inch iron rod with a Brown & Gay cap found for a corner;

39.27 feet along the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 41°27'39" E, 35.36 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of tangency;

Legal Description (metes and bounds) Page 2:

TELFAIR SEC. 19
PLAT DESCRIPTION
8.397 ACRES
Page 2 of 3

N 86°27'39" E, 42.75 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of curvature of a curve to the right and being a southwesterly corner of Chatham Avenue Sec. 2, a plat of which is recorded at Plat No. 20070154 of the Fort Bend County Records;

THENCE in a southerly direction along the westerly right-of-way line (boundary) of said Chatham Avenue (width of R.O.W. varies) as follows:

38.42 feet along the arc of said curve to the right having a radius of 25.00 feet, a central angle of 88°02'46" and a chord which bears S 49°30'58" E, 34.75 feet to a 5/8-inch iron rod with a Brown & Gay cap found for a point of reverse curvature;

302.17 feet along the arc of a curve to the left having a radius of 3035.00 feet, a central angle of 05°42'16" and a chord which bears S 08°20'43" E, 302.05 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of tangency;

S 11°11'51" E, 45.25 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of curvature of a curve to the left;

66.86 feet along the arc of said curve to the left having a radius of 500.00 feet, a central angle of 07°39'43" and a chord which bears S 15°01'43" E, 66.81 feet to a 5/8-inch iron rod with a Brown & Gay cap found for a point of compound curvature;

95.14 feet along the arc of a curve to the left having a radius of 1040.00 feet, a central angle of 05°14'29" and a chord which bears S 21°28'49" E, 95.11 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the most southerly southwest corner of said Chatham Avenue Sec. 2 and for a northwesterly corner of said New Territory Boulevard;

THENCE in a westerly direction along the northerly right-of-way line (boundary) of said New Territory Boulevard (width of R.O.W. varies) as follows:

S 24°08'03" E, 7.51 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of curvature of a curve to the right;

48.22 feet along the arc of said curve to the right having a radius of 30.00 feet, a central angle of 92°05'27" and a chord which bears S 21°56'40" W, 43.19 feet to a 5/8-inch iron rod with a Brown & Gay cap found for a point of compound curvature;

619.42 feet along the arc of a curve to the right having a radius of 1947.50 feet, a central angle of 18°13'25" and a chord which bears S 77°06'06" W, 616.81 feet to a 5/8-inch iron rod with a Brown & Gay cap found for the point of tangency;

S 86°12'49" W, 17.13 feet to the POINT OF BEGINNING and containing 8.397 acres of land.

TELFAIR SEC. 19
PLAT DESCRIPTION
8.397 ACRES
Page 3 of 3

Bearing orientation is based on the Texas State Plane Coordinate System, South Central Zone, NAD83, with a bearing and distance of N 03°32'21" W, 9501.01 feet for a westerly line of a 1651.239-acre tract of land described in a deed recorded at Fort Bend County Clerk's File No. 2003149525 and monumented on the ground with a concrete monument found on the southerly end and a 1-inch iron pipe found on the northerly end.



Edward F. Taylor
Edward F. Taylor, R.P.L.S No. 1615
Brown & Gay Engineers, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700

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